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Commonwealth of Virginia

PRIVATE SECURITY SERVICES ADVISORY BOARD

**March 30, 2010
Quarterly Meeting Minutes**

**Tuckahoe Public Library
1901 Starling Drive
Richmond, Virginia 23229**

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Call to Order

Chris DiMartino, Chairman, called the meeting to order at approximately 9:10 a.m.

Attendees

Christopher DiMartino Chairman; Vice-Chairman; Paul Ellis; Carl Armstrong; Secretary; Daniel Schmitt; Seth P. Oginz; James D. (Danny) Washburn, Jr.; Joseph Maslanka; Thomas H. Turner; Steve Demma, Dennis VanDuzee

Absent

Charles E. Ciccotti, Deputy Chief James A. Cervera; Kevin Hodges, John R. Lastrapes
All members absent have contacted the board that they would not be attending the meeting.

Approval of Agenda

Carl Armstrong made a motion to approve the agenda.
Dennis VanDuzee seconded the motion and the motion carried.

Approval of Minutes

Tom Turner made the motion to approve the minutes.
Seth Oginz seconded, motion carried.

Committee Reports

Training Committee: No report given.

Regulatory Committee: No report given.

DCJS Report

Lisa McGee, Regulatory Manager, Office of Regulatory Affairs, provided the report.

Before Ms. McGee gave her report, she extended the Departments condolences to the family and friends of Emil Wengel.

DCJS Director: Ms McGee announced that a new director has been appointed for the Department, Mr. Garth Wheeler. Mr. Wheeler has had a distinguished career in law enforcement and has served at many levels. His background includes employment with the Virginia Beach Police Department, Director of the Enforcement Division of the Department of ABC, Lieutenant with the Virginia State University Police Department, and Chief of Police and Security for J. Sargeant Reynolds Community College Police Department.

Mr. Wheeler is the past president of the Virginia Fraternal Order of Police. He has served as a member of the DCJS Advisory Board for Security Officer Minimum Training Standards for Colleges and Universities and is a member of the Virginia Association of Chiefs of Police, Crater Criminal Justice Training Academy, International Association of Campus Law Enforcement Administrators and the Virginia Campus Law Enforcement Administrators Association.

Board Vacancies: Ms. McGee advised that the Locksmith representative, Mr. John Lastrapes had submitted his resignation to the Board and that several of the Board terms were expiring on June 30th. The Department would post a notice of the upcoming vacancies and submit all applicants to

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the Criminal Justice Services Board for review and appointment. Ms. McGee advised of the most recent appointment of Mr. Frank Phillips as the Personal Protection Specialist representative and welcomed him on behalf of the Department.

Budget – Ms. McGee advised that the budget climate is still a major concern for state government. The Department is still under a hiring freeze and does not foresee a change in the near future. The Department has had to look take a hard look at all of its business practices and current staffing levels to find ways to comply with Code mandates. For years the Department has been inundated with paperwork, applications, and records retention. Staff is spending more time reviewing applications, providing data entry, and working with the industry to ensure proper documentation/applications are submitted to the Department. The Department is moving towards eliminating some of these duties through the implementation of an enhanced web based licensing system as well as a goal to move towards a paperless system.

Training Records:

In addition to this project, Ms. McGee advised the Board that the Department was considering eliminating the responsibility of maintaining in-service training documentation for registrants. In order to maintain a registration, individuals must complete continuing education requirements every two years. The majority of this training is defined in the regulations as “job-related” training. Requirements can be met by attending a certified training school or receiving training through alternative sources. All documentation must then be forwarded to the Department for review. The Department suggested that the responsibility for maintaining training documentation be passed on to the registrant. Businesses would continue to ensure that their employees are in compliance with all in-service requirements. The Department would reinstate the self-audit program for businesses. Administrative requirements would be established in the regulations outlining the requirement that individuals must maintain their training documentation and that the documentation must be available for review by the Department upon request. The Department is continuing to review this proposal and will provide additional information at a later time.

Department Training:

The Department has partnered with the Department of Human Resource Management to utilize the Commonwealth’s Learning Management System, in furtherance of the Department’s efforts to improve on-line training opportunities. The Department is currently piloting an on-line training program for campus security officers. A review of all training offered by the Department will be conducted for feasibility as offerings for on-line training.

Regulations:

The public comment period for the proposed revisions to the private security regulations will end on Friday, April 3, 2010. The Department has received comments from individuals, and from representatives of businesses and schools. Many of the comments were in reference to the proposed amendments for firearms training. Based on the comments received, the current economic climate in Virginia, and the results of the economic impact analysis from the Department of Planning and Budget, the Department will be meeting with the PSSAB training committee to finalize any proposed amendments during this regulatory process.

Locksmith:

Mr. Burt Walker was asked to give an update on issues concerning Locksmith advertising. Mr. Walker and Mr. Robertson had met with a representative from Verizon in regard to the placing of ads in the Verizon phone book, Verizon will deny an applicant if they cannot verify the legal

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name of the company. Unfortunately, if denied by Verizon, the company can go to other organizations like Comcast and others that sell ads which if approved will be published in the phone book.

Investigation has revealed that these individuals will list a series of ads in the phone book and place fictitious addresses with all phone numbers forwarding to one of three call centers on the east coast. From there they call out someone who is going to represent themselves as a locksmith. Mr. Walker and Mr. Robertson have gotten connections from Verizon to the other organizations and will be meeting with the contacts in hopes that they will assist with blocking these listing of phone numbers.

Board Comment

Mr. Armstrong voiced his disappointment as well as others in his profession in regard to the actions of the Sheriff of Virginia Beach of allowing bondsman to advertise on the close circuit TV system for a fee. Mr. Armstrong wished there was something more the Department could do. The Department will attempt to look further with the AG's office but currently does not have the regulatory authority over the actions of the Sheriff.

Mr. Oginz directed his comment/question to Ms. McGee, relative to an issue brought up at previous board meetings regarding, clarification of language definitions between electronic security and locksmiths. Ms. McGee advised that the changes were recommended for a legislative amendment but the Administration was unable to push the bill forward. Ms. McGee advised that the department supports the recommended definition amendment and that hopefully a bill would get introduced at the next session.

Mr. Demma requested information on application time periods, specifically, for lesson plans and subject matter specialist approvals. Ms. McGee requested that the industry assume an average of 30 days for processing when submitting applications and documents to the department. Mr. Demma further advised that he was contacted by an individual who had not received his approval. Ms. McGee requested that Mr. Demma provide the specific details and that she would check with the department's certification center.

Chairman DiMartino suggested that the board members help compile a list of what would be considered acceptable training classes that could be used or certified as in-service training, such as ASIS International, seminars, web classes, association for certified fraud examiners etc.

Ms. McGee agreed that it would be helpful if the department did not track the in-service training. The department would like to be able to provide information and guidelines on the web-site. In addition, to provide defined job training regulations as well. This recommendation would put the responsibility on the registrant and the business, some businesses provide their training, they will bring a manufacture in, things of that nature as long as the individual as well as the business can show that this person has had job related training, then they meet the requirements of the regulations and the code. Mr. Paul Ellis added that he would propose a set of guidelines with the help of the Board members contacting him with suggestions.

Mr. Washburn asked how the manual processing was determined. Ms. McGee responded that the intent is to try to ensure that people use the web-based application system. Considering the current state of the economy and the fact that some people may not have access to the web, the department

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is looking at reducing the recommended fee for manual processing. Ms. McGee also added that the department welcomes any recommendations from the Board on how to handle this.

Mr. Oginz questioned the status of the department funding budget and if funds would be transferred out of the department. Ms. McGee did not have any further information until the budget was announced by the Administration.

Mr. Ellis questioned the raising of fees if the money may not stay in the industry? Ms. McGee could not speak to any future transferring of funds, but did address the recommended fee structure. Specifically she addressed the firearm endorsement and advised that the increase was based on the department implementing an additional card at the request of the industry. In addition, she reminded the board that in 2003, the department reduced the funding when the department increased the registration from one to two years without increasing the fee. This resulted in a 50% reduction in fees for registrants. The department does not want to increase fees unless absolutely necessary. In regard to the firearm endorsement, the department met internally and is looking at putting the firearm endorsement back on the registration to try and reduce the cost of additional cards.

Public Comment

Jimmy Boggs – Richmond Alarm Company and Virginia Key and Lock commented on the Department's proposal to eliminate the tracking of in-service training for registrants. He had concerns about the tremendous amount of paperwork that will flow back to the department and department is already short staffed. Second changing to new database system, is not going to be the catch all to the problem, everyone will need to be trained. Ms. McGee assured him that the individuals would not be required to submit documentation but would maintain for review. Mr. Boggs was concerned that individuals would not be honest with on-line training.

Ms. Buckner added that the goal is putting the burden on the individual and their employer. Employer will need to keep licenses and records of training. The department would be spot-checking, coming out in the field and checking records. This will be a reduction in paper work coming into the department. Mr. Boggs was concerned with the amount of field investigators and that he had not been visited by a department investigator for probably three years. He believed this was consistent with other individuals in the business. He believed the department not tracking the in-service training as currently established would open the industry up to misrepresentation.

Ms. McGee addressed the current status of the investigation unit and that based on the amount of paperwork, the department cannot afford to get them out in the field. The hope was to eliminate some of the internal processing so the department could strengthen its enforcement team.

Mr. Oginz addressed the attendees to reach out to their representative and provide them with what they consider acceptable in-service training. He further commented that it is up to the individual and businesses to ensure that their people are meeting the basic in-service requirements. One of the things discussed is reaching out to our various industries in coming up with those standards, what we consider to be acceptable training. Provide information to your representative.

Mary Kay Wakefield asked the board about the regulation regarding in-service training that is being proposed for instructors, if the 4 hours of the in-service that is taken for the registration count for that the two hours of professional development. Ms. McGee advised that if the training was provided by a third party provider/instructor and it was in the same category the individual was certified to instruct in then it would meet the requirement.

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Ms. Wakefield asked Mr. Demma if the training committee was focused primarily on firearms or would other items/areas be discussed. Mr. Demma responded that other recommendations were made in regard to unarmed officers.

Board Announcements:

The next quarterly meeting will be held at the Tuckahoe Public Library, 1901 Starling Drive, Richmond, Virginia 23229. The Department will notice the industry.

Adjournment

Paul Ellis made a motion to adjourn the meeting.

Carl Armstrong seconded the motion. The motion carried and the meeting was adjourned.

DCJS Attendees

Kim Buckner

Lisa McGee

Karen Suttles

Burt Walker